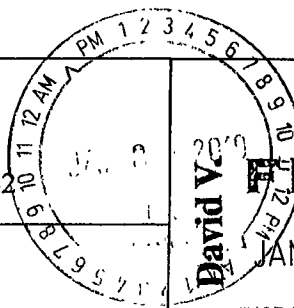


EXHIBIT A

CM-010

| | | | |
|--|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): BENJAMIN MAINZER, CSB 257748 BRAGG, MAINZER & FIRPO 804 THIRD STREET EUREKA, CA 95501 TELEPHONE NO.: 707-445-7917 ATTORNEY FOR (Name): TRINITY WILLIAMS | | FOR COURT USE ONLY  FILED JAN 31 2019 SUPERIOR COURT OF CALIFORNIA COUNTY OF HUMBOLDT | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT STREET ADDRESS: COURTHOUSE MAILING ADDRESS: 825 FIFTH STREET CITY AND ZIP CODE: EUREKA, CA 95501 BRANCH NAME: | | CASE NUMBER: DR190116 JUDGE: DEPT: | |
| CASE NAME: TRINITY WILLIAMS v. COUNTY OF HUMBOLDT and DOES 1-50 | | CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402) | |

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

| | | |
|---|--|---|
| Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input checked="" type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15) | Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43) |
|---|--|---|

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): ~~SEVEN (7)~~ **EIGHT (8)**
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date:

BENJAMIN MAINZER

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties In Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties In Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

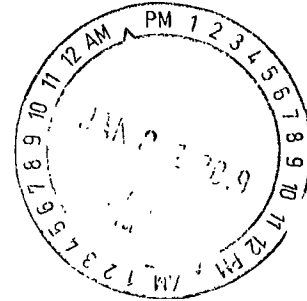
CASE TYPES AND EXAMPLES

| | | |
|---|---|---|
| Auto Tort | Contract | Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403) |
| Auto (22)—Personal Injury/Property Damage/Wrongful Death | Breach of Contract/Warranty (06) | Antitrust/Trade Regulation (03) |
| Uninsured Motorist (46) (<i>If the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>) | Breach of Rental/Lease Contract (<i>not unlawful detainer or wrongful eviction</i>) | Construction Defect (10) |
| | Contract/Warranty Breach—Seller Plaintiff (<i>not fraud or negligence</i>) | Claims Involving Mass Tort (40) |
| | Negligent Breach of Contract/Warranty | Securities Litigation (28) |
| Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort | Other Breach of Contract/Warranty | Environmental/Toxic Tort (30) |
| Asbestos (04) | Collections (e.g., money owed, open book accounts) (09) | Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41) |
| Asbestos Property Damage | Collection Case—Seller Plaintiff | Enforcement of Judgment |
| Asbestos Personal Injury/Wrongful Death | Other Promissory Note/Collections Case | Enforcement of Judgment (20) |
| Product Liability (<i>not asbestos or toxic/environmental</i>) (24) | Insurance Coverage (<i>not provisionally complex</i>) (18) | Abstract of Judgment (Out of County) |
| Medical Malpractice (45) | Auto Subrogation | Confession of Judgment (<i>non-domestic relations</i>) |
| Medical Malpractice—Physicians & Surgeons | Other Coverage | Sister State Judgment |
| Other Professional Health Care Malpractice | Other Contract (37) | Administrative Agency Award (<i>not unpaid taxes</i>) |
| Other PI/PD/WD (23) | Contractual Fraud | Petition/Certification of Entry of Judgment on Unpaid Taxes |
| Premises Liability (e.g., slip and fall) | Other Contract Dispute | Other Enforcement of Judgment Case |
| Intentional Bodily Injury/PD/WD (e.g., assault, vandalism) | Real Property | Miscellaneous Civil Complaint |
| Intentional Infliction of Emotional Distress | Eminent Domain/Inverse Condemnation (14) | RICO (27) |
| Negligent Infliction of Emotional Distress | Wrongful Eviction (33) | Other Complaint (<i>not specified above</i>) (42) |
| Other PI/PD/WD | Other Real Property (e.g., quiet title) (26) | Declaratory Relief Only |
| Non-PI/PD/WD (Other) Tort | Writ of Possession of Real Property | Injunctive Relief Only (<i>non-harassment</i>) |
| Business Tort/Unfair Business Practice (07) | Mortgage Foreclosure | Mechanics Lien |
| Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08) | Quiet Title | Other Commercial Complaint Case (<i>non-tort/non-complex</i>) |
| Defamation (e.g., slander, libel) (13) | Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>) | Other Civil Complaint (<i>non-tort/non-complex</i>) |
| Fraud (16) | Unlawful Detainer | Miscellaneous Civil Petition |
| Intellectual Property (19) | Commercial (31) | Partnership and Corporate Governance (21) |
| Professional Negligence (25) | Residential (32) | Other Petition (<i>not specified above</i>) (43) |
| Legal Malpractice | Drugs (38) (<i>If the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>) | Civil Harassment |
| Other Professional Malpractice (<i>not medical or legal</i>) | Judicial Review | Workplace Violence |
| Other Non-PI/PD/WD Tort (35) | Asset Forfeiture (05) | Elder/Dependent Adult Abuse |
| Employment | Petition Re: Arbitration Award (11) | Election Contest |
| Wrongful Termination (36) | Writ of Mandate (02) | Petition for Name Change |
| Other Employment (15) | Writ—Administrative Mandamus | Petition for Relief From Late Claim |
| | Writ—Mandamus on Limited Court Case Matter | Other Civil Petition |
| | Writ—Other Limited Court Case Review | |
| | Other Judicial Review (39) | |
| | Review of Health Officer Order | |
| | Notice of Appeal—Labor Commissioner Appeals | |

EXHIBIT B

David V. **FILED**
JAN 31 2019

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT



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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF HUMBOLDT

TRINITY WILLIAMS, individually,
Plaintiff,

CASE NO. **DR190116**
COMPLAINT

v.

COUNTY OF HUMBOLDT and
DOES 1 through 50,
Defendants.

Plaintiff TRINITY WILLIAMS, by and through her attorneys of record, Benjamin Mainzer of BRAGG, MAINZER & FIRPO, LLP and Amanda M. Searle of CONNELLY LAW OFFICES, PLLC, alleges as follows:

I. INTRODUCTION

1. This action is brought in the context of Defendant Humboldt County's systemic noncompliance with multiple State statutory schemes to protect children from abuse. These statutory schemes are of vital importance in protecting the State's children. California's Child Abuse and Neglect Reporting Act, Penal Code 11164 et seq. (CANRA) is the State's mandatory reporting law that functions as the gateway to identifying potential victims of child abuse or neglect. The Welfare and Institutions Code and its implementing regulations, known as "Division 31" regulations, work in tandem with CANRA by providing detailed requirements for social workers relating to the assessment of reports and subsequent investigation.

2. In or around 2015, the State of California became aware that Defendant Humboldt County had been not properly receiving, responding or investigating reports of child abuse as was required by CANRA and the Welfare and Institutions Code. Subsequent investigation by the State revealed systemic noncompliance with the aforementioned, which in turn triggered the State filing a petition for writ of mandate and complaint for injunctive relief compelling Humboldt County to comply with relevant laws and regulations. The below-described facts related to Plaintiff Trinity Williams treatment by Defendant Humboldt County occurred during the operative time period wherein Defendant Humboldt County's noncompliance triggered State intervention. Defendant's conduct relative to Plaintiff Trinity Williams is consistent with the systemic noncompliance uncovered by the State and is reflective of a pattern of behavior at best deliberate indifference to the welfare of Humboldt County's most vulnerable.

3. In or around 2013, when Trinity was 12 years old, the Humboldt County Department of Health and Human Services ("DHHS"), learned that Christopher Fosnaugh, who at that time was 17 years old, had sexual intercourse with Trinity. Trinity became pregnant. Over the following months and years, numerous reports were made to Defendant HUMBOLDT COUNTY informing its agents and employees of ongoing sexual abuse by Fosnaugh of Trinity. By virtue of her age alone, it should have been abundantly clear to Defendants that Fosnaugh was repeatedly engaging in sexual intercourse with a child incapable of consent.

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1 or neglect. DHHS is operated and governed by Humboldt County pursuant to the laws of the
2 State of California.

3 12. Plaintiff is unaware of the true names of the Defendants named herein as DOES 1
4 through 50, inclusive, and for that reason have named these Defendants by such fictitious names.
5 Plaintiff is informed, believe, and alleges that at all relevant times Defendants Does 1 through 50,
6 inclusive, were, or are, employees of Defendant HUMBOLDT COUNTY, employed as a
7 Children's Services Worker ("CSW") and/or a Supervising Children's Services Worker
8 ("SCSW"). Said Doe Defendants were, and are, public employees as defined in Government Code
9 section 811.4 as an agent, employee, representative, and/or joint venturer of Defendant
10 HUMBOLDT COUNTY and that in doing the things alleged herein were acting in the course and
11 scope of such relationship with Defendant HUMBOLDT COUNTY and with HUMBOLDT
12 COUNTY's permission and consent. Further, Defendant HUMBOLDT COUNTY was negligent
13 in the selection, hiring, training, and supervision of Defendants Does 1 through 50, inclusive.
14 Plaintiff is informed, believes, and alleges that Does 1 through 50, inclusive, are legally
15 responsible, negligently or in some other actionable manner, for the events and occurrences
16 alleged and that Plaintiff's injuries were directly and proximately caused by such Defendants.
17 Plaintiff will amend this Complaint to allege their true names and capacities when ascertained.

18 13. Plaintiffs are informed, believe, and allege that at all relevant times each
19 Defendant, including Does 1 through 50, inclusive, was the agent, servant, employee,
20 representative, and/or joint venturer of its Co-Defendants, and was acting in the course and scope
21 of said agency and/or employment, pursuant to the direction and control of its Co-Defendants,
22 with their knowledge, consent, and approval, and each Defendant has ratified the acts of its Co-
23 Defendants as described herein.

24 14. On June 21, 2018, Plaintiff filed her Government Tort Claim against Defendant
25 HUMBOLDT COUNTY.

26 15. On July 9, 2018, Defendant HUMBOLDT COUNTY accepted receipt of
27 Plaintiff's tort claim through a letter authored by Risk Manager Kacy Green.
28

1 16. In a letter by Risk Manager, Kacy Green, dated August 6, 2018, HUMBOLDT
2 COUNTY granted Plaintiff's application to file late claims with dates of loss between 2011, and
3 December 8, 2015, pursuant to paragraph (2) of subdivision (b) of Government Code section
4 911.6. Each of those claims was denied. Defendant HUMBOLDT COUNTY informed Plaintiff
5 that her claims dated December 9, 2015, to June 1, 2018 were denied.

6 17. Pursuant to Government Code § 911.8, Plaintiff's Complaint herein is timely filed
7 as this Complaint has been filed not later than six months from the date of denial.
8

9 III. FACTUAL HISTORY

10 18. Inexcusably, HUMBOLDT COUNTY, through repeated breaches of its
11 mandatory duties, and through the affirmative conduct of its agents and employees, identified
12 herein as DOES 1-50, enabled a third party to mentally, physically and sexually abuse Plaintiff.
13 The pertinent facts are as follows:

14 19. While she was a minor, Plaintiff TRINITY WILLIAMS was repeatedly sexually
15 molested, assaulted, and raped by Christopher Fosnaugh.

16 20. On or about January 17, 2013, HUMBOLDT COUNTY DHHS is informed that
17 Trinity—who was 12 years old—had been sexually assaulted by a 17-year-old, Christopher
18 Fosnaugh. Plaintiff is informed, and therefore believes, a social worker created an "Emergency
19 Response Referral Information." but Plaintiff is informed, and therefore believes, that despite the
20 seriousness of the report, the reported age of Trinity as a minor under the age of 14 at the time of
21 sexual contact, the reported age difference between Trinity and Fosnaugh, the rape was not
22 promptly investigated, nor did Defendants follow relevant CDSS regulations related to ensuring
23 that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes,
24 that Defendants failed to follow provisions of the of the California Child Abuse and Neglect
25 Reporting Act which require, in response to each referral of abuse or neglect, DHHS reach a
26 meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded,
27
28

1 set forth that conclusion in writing and report all substantiated findings to the California
2 Department of Justice.

3 21. On March 6, 2013, HUMBOLDT COUNTY DHHS received another report that
4 TRINITY WILLIAMS had been raped, and became pregnant by, Christopher Fosnaugh. Plaintiff
5 is informed, and therefore believes, that Defendants failed to follow relevant CDSS regulations
6 related to ensuring that Trinity was not at risk of further abuse. Plaintiff is further informed, and
7 therefore believes, that Defendants failed to follow provisions of the of the California Child Abuse
8 and Neglect Reporting Act which require, in response to each referral of abuse or neglect, DHHS
9 reach a meaningful conclusion as to whether the allegations are substantiated, inconclusive or
10 unfounded, set forth that conclusion in writing and report all substantiated findings to the
11 California Department of Justice.

12 22. On or about March 8, 2013, three more reports of sexual abuse regarding
13 TRINITY WILLIAMS were filed with HUMBOLDT COUNTY DHHS. Plaintiff is informed,
14 and therefore believes, that Defendants failed to follow relevant CDSS regulations related to
15 ensuring that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore
16 believes, that Defendants failed to follow provisions of the of the California Child Abuse and
17 Neglect Reporting Act which require, in response to each referral of abuse or neglect, DHHS
18 reach a meaningful conclusion as to whether the allegations are substantiated, inconclusive or
19 unfounded, set forth that conclusion in writing and report all substantiated findings to the
20 California Department of Justice.

21 23. On or about March 11, 2013, another Emergency Response Referral Information
22 was filed because of continued reports that Christopher Fosnaugh was sexually abusing Plaintiff.
23 Plaintiff is informed, and therefore believes, that Defendants failed to follow relevant CDSS
24 regulations related to ensuring that Trinity was not at risk of further abuse. Plaintiff is further
25 informed, and therefore believes, that Defendants failed to follow provisions of the of the
26 California Child Abuse and Neglect Reporting Act which require, in response to each referral of
27 abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations are
28

1 substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
2 substantiated findings to the California Department of Justice.

3 24. Plaintiff is informed, and therefore believes, that in or around March 28, 2013,
4 DHHS has actual knowledge that Fosnaugh is permitted to frequent the home where Trinity
5 resides, as well as take Trinity to a motel. Despite knowledge of ongoing sexual contact between
6 Trinity and Fosnaugh, HUMBOLDT COUNTY DHHS does nothing to prevent Fosnaugh from
7 having access to the child. Plaintiff is informed, and therefore believes, that Defendants failed to
8 follow relevant CDSS regulations related to ensuring that Trinity was not at risk of further abuse.
9 Plaintiff is further informed, and therefore believes, that Defendants failed to follow provisions
10 of the of the California Child Abuse and Neglect Reporting Act which require, in response to each
11 referral of abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations
12 are substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
13 substantiated findings to the California Department of Justice.

14 25. On or about April 5, 2013, another Emergency Response Referral Information was
15 filed reporting ongoing sexual abuse by Fosnaugh. Plaintiff is informed, and therefore believes,
16 that Defendants failed to follow relevant CDSS regulations related to ensuring that Trinity was
17 not at risk of further abuse. Plaintiff is further informed, and therefore believes, that Defendants
18 failed to follow provisions of the of the California Child Abuse and Neglect Reporting Act which
19 require, in response to each referral of abuse or neglect, DHHS reach a meaningful conclusion as
20 to whether the allegations are substantiated, inconclusive or unfounded, set forth that conclusion
21 in writing and report all substantiated findings to the California Department of Justice.

22 26. On or about June 14, 2013, another report of sexual abuse of TRINITY
23 WILLIAMS was filed. At this time, no efforts were made by HUMBOLDT COUNTY DHHS to
24 remove TRINITY WILLIAMS from proximity to her abuser or prevent Fosnaugh from having
25 access to the child. Nor were any meaningful efforts made to follow applicable CDSS regulations
26 pertaining to mandatory investigation and action following reports of sexual abuse. Plaintiff is
27 further informed, and therefore believes, that Defendants failed to follow provisions of the of the
28 California Child Abuse and Neglect Reporting Act which require, in response to each referral of

1 abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations are
2 substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
3 substantiated findings to the California Department of Justice.

4 27. On or about June 18, 2013, another Emergency Response Referral Information
5 was filed alleging ongoing sexual abuse by Fosnaugh. Plaintiff is informed, and therefore
6 believes, no action was taken by HUMBOLDT COUNTY DHHS. Plaintiff is informed, and
7 therefore believes, that Defendants failed to follow relevant CDSS regulations related to ensuring
8 that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes,
9 that Defendants failed to follow provisions of the of the California Child Abuse and Neglect
10 Reporting Act which require, in response to each referral of abuse or neglect, DHHS reach a
11 meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded,
12 set forth that conclusion in writing and report all substantiated findings to the California
13 Department of Justice.

14 28. On or about July 17, 2013, another report of sexual abuse of TRINITY
15 WILLIAMS by Fosnaugh is made. Plaintiff is informed, and therefore believes that at this time,
16 HUMBOLDT COUNTY DHHS is aware that TRINITY WILLIAMS is six months pregnant with
17 Fosnaugh's child. Plaintiff is informed, and therefore believes, that Defendants failed to follow
18 relevant CDSS regulations related to ensuring that Trinity was not at risk of further abuse.
19 Plaintiff is further informed, and therefore believes, that Defendants failed to follow provisions
20 of the of the California Child Abuse and Neglect Reporting Act which require, in response to each
21 referral of abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations
22 are substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
23 substantiated findings to the California Department of Justice.

24 29. On or about July 19, 2013, another Emergency Response Referral Information was
25 filed alleging ongoing continued sexual abuse by Fosnaugh. Plaintiff is informed, and therefore
26 believes, that Defendants failed to follow relevant CDSS regulations related to ensuring that
27 Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes, that
28 Defendants failed to follow provisions of the of the California Child Abuse and Neglect Reporting

1 Act which require, in response to each referral of abuse or neglect, DHHS reach a meaningful
2 conclusion as to whether the allegations are substantiated, inconclusive or unfounded, set forth
3 that conclusion in writing and report all substantiated findings to the California Department of
4 Justice.

5 30. On or about February 24, 2014, another Emergency Response Referral
6 Information was filed alleging ongoing sexual abuse by Fosnaugh. Plaintiff is informed, and
7 therefore believes, that Defendants failed to follow relevant CDSS regulations related to ensuring
8 that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes,
9 that Defendants failed to follow provisions of the of the California Child Abuse and Neglect
10 Reporting Act which require, in response to each referral of abuse or neglect, DHHS reach a
11 meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded,
12 set forth that conclusion in writing and report all substantiated findings to the California
13 Department of Justice.

14 31. On April 28, 2014, another Emergency Response Referral Information was filed
15 alleging ongoing sexual abuse by Fosnaugh. Plaintiff is informed, and therefore believes, that
16 Defendants failed to follow relevant CDSS regulations related to ensuring that Trinity was not at
17 risk of further abuse. Plaintiff is further informed, and therefore believes, that Defendants failed
18 to follow provisions of the of the California Child Abuse and Neglect Reporting Act which
19 require, in response to each referral of abuse or neglect, DHHS reach a meaningful conclusion as
20 to whether the allegations are substantiated, inconclusive or unfounded, set forth that conclusion
21 in writing and report all substantiated findings to the California Department of Justice.

22 32. In or around March of 2015, TRINITY WILLIAMS was stabbed in the knee by
23 Fosnaugh. Plaintiff is informed, and therefore believes, DHHS made no report of this battery to
24 law enforcement. Plaintiff is further informed, and therefore believes, that Defendants failed to
25 follow relevant CDSS regulations related to ensuring that Trinity was not at risk of further abuse.
26 Plaintiff is further informed, and therefore believes, that Defendants failed to follow provisions
27 of the of the California Child Abuse and Neglect Reporting Act which require, in response to each
28 referral of abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations

1 are substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
2 substantiated findings to the California Department of Justice.

3 33. In or around May of 2015, during a trip to the hospital, TRINITY WILLIAMS
4 finds out she is again pregnant by Christopher Fosnaugh. Hospital staff report the incident.
5 Plaintiff is informed, and therefore believes, that Defendants failed to follow relevant CDSS
6 regulations related to ensuring that Trinity was not at risk of further abuse. Plaintiff is further
7 informed, and therefore believes, that Defendants failed to follow provisions of the of the
8 California Child Abuse and Neglect Reporting Act which require, in response to each referral of
9 abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations are
10 substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
11 substantiated findings to the California Department of Justice.

12 34. On June 5, 2015, TRINITY WILLIAMS terminated her pregnancy at Planned
13 Parenthood. Thereafter she is taken by a DHHS social worker to Fosnaugh's house. Fosnaugh
14 then beats her with a broom and rapes her. TRINITY WILLIAMS reported this to the social
15 worker and asked why she was brought back to Fosnaugh's house, the social worker informs her
16 the intention was "wanting to keep the family unit together."

17 35. Later, in or around June 2015, TRINITY WILLIAMS was again stabbed by
18 Fosnaugh. She is taken to the hospital. Instead of protecting her, DHHS social workers tell
19 TRINITY WILLIAMS that she is lying and Plaintiff is informed, and therefore believes, DHHS
20 social workers disregard her report. Plaintiff is informed, and therefore believes, that Defendants
21 failed to follow relevant CDSS regulations related to ensuring that Trinity was not at risk of
22 further abuse. Plaintiff is further informed, and therefore believes, that Defendants failed to
23 follow provisions of the of the California Child Abuse and Neglect Reporting Act which require,
24 in response to each referral of abuse or neglect, DHHS reach a meaningful conclusion as to
25 whether the allegations are substantiated, inconclusive or unfounded, set forth that conclusion in
26 writing and report all substantiated findings to the California Department of Justice.

27 36. On or about July 7, 2015, another Emergency Response Referral Information was
28 filed because of a report of physical abuse by Fosnaugh. Plaintiff is informed, and therefore

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1 believes, that Defendants failed to follow relevant CDSS regulations related to ensuring that
2 Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes, that
3 Defendants failed to follow provisions of the of the California Child Abuse and Neglect Reporting
4 Act which require, in response to each referral of abuse or neglect, DHHS reach a meaningful
5 conclusion as to whether the allegations are substantiated, inconclusive or unfounded, set forth
6 that conclusion in writing and report all substantiated findings to the California Department of
7 Justice.

8 37. On or about July 13, 2015, another Emergency Response Referral Information was
9 filed because of a report of physical abuse by Fosnaugh. Plaintiff is informed, and therefore
10 believes, that Defendants failed to follow relevant CDSS regulations related to ensuring that
11 Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes, that
12 Defendants failed to follow provisions of the of the California Child Abuse and Neglect Reporting
13 Act which require, in response to each referral of abuse or neglect, DHHS reach a meaningful
14 conclusion as to whether the allegations are substantiated, inconclusive or unfounded, set forth
15 that conclusion in writing and report all substantiated findings to the California Department of
16 Justice.

17 38. On or about July 15, 2015, a report is taken with regards to Christopher Fosnaugh's
18 continued physical abuse of TRINITY WILLIAMS and her son. Another Emergency Response
19 Referral Information was filed because of a report of physical abuse by Christopher Fosnaugh.
20 Plaintiff is informed, and therefore believes, that Defendants failed to follow relevant CDSS
21 regulations related to ensuring that Trinity was not at risk of further abuse. Plaintiff is further
22 informed, and therefore believes, that Defendants failed to follow provisions of the of the
23 California Child Abuse and Neglect Reporting Act which require, in response to each referral of
24 abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations are
25 substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
26 substantiated findings to the California Department of Justice.

27 39. On or about July 17, 2015, another Emergency Response Referral Information was
28 filed because of a report of physical abuse by Christopher Fosnaugh. Plaintiff is informed, and

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1 therefore believes, that Defendants failed to follow relevant CDSS regulations related to ensuring
2 that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes,
3 that Defendants failed to follow provisions of the of the California Child Abuse and Neglect
4 Reporting Act which require, in response to each referral of abuse or neglect, DHHS reach a
5 meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded,
6 set forth that conclusion in writing and report all substantiated findings to the California
7 Department of Justice.

8 40. On or about September 24, 2015, Emergency Response Referral Information was
9 filed because of a report of physical abuse by Christopher Fosnaugh. Plaintiff is informed, and
10 therefore believes, that Defendants failed to follow relevant CDSS regulations related to ensuring
11 that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes,
12 that Defendants failed to follow provisions of the of the California Child Abuse and Neglect
13 Reporting Act which require, in response to each referral of abuse or neglect, DHHS reach a
14 meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded,
15 set forth that conclusion in writing and report all substantiated findings to the California
16 Department of Justice.

17 41. On or about October 16, 2015, TRINITY WILLIAMS reports continued physical
18 abuse at the hands of Fosnaugh. Plaintiff is informed, and therefore believes, that Defendants
19 failed to follow relevant CDSS regulations related to ensuring that Trinity was not at risk of
20 further abuse. Plaintiff is further informed, and therefore believes, that Defendants failed to
21 follow provisions of the of the California Child Abuse and Neglect Reporting Act which require,
22 in response to each referral of abuse or neglect, DHHS reach a meaningful conclusion as to
23 whether the allegations are substantiated, inconclusive or unfounded, set forth that conclusion in
24 writing and report all substantiated findings to the California Department of Justice.

25 42. On February 18, 2016, TRINITY WILLIAMS discloses to HUMBOLDT
26 COUNTY social workers that she was raped by Christopher Fosnaugh at the age of 12. She also
27 reports that she was stabbed by Christopher Fosnaugh three separate times. She reports that he is
28 threatening her life. Plaintiff is informed, and therefore believes, that Defendants failed to follow

1 relevant CDSS regulations related to ensuring that Trinity was not at risk of further abuse.
2 Plaintiff is further informed, and therefore believes, that Defendants failed to follow provisions
3 of the of the California Child Abuse and Neglect Reporting Act which require, in response to each
4 referral of abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations
5 are substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
6 substantiated findings to the California Department of Justice.

7 43. On February 22, 2016, another Emergency Response Referral Information was
8 filed because of a report of sexual abuse by Christopher Fosnaugh. Plaintiff is informed, and
9 therefore believes, that Defendants failed to follow relevant CDSS regulations related to ensuring
10 that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore believes,
11 that Defendants failed to follow provisions of the of the California Child Abuse and Neglect
12 Reporting Act which require, in response to each referral of abuse or neglect, DHHS reach a
13 meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded,
14 set forth that conclusion in writing and report all substantiated findings to the California
15 Department of Justice.

16 44. On or about March 11, 2016, TRINITY WILLIAMS again disclosed to
17 HUMBOLDT COUNTY social workers that she had been sexually and physically assaulted by
18 since she was twelve. Plaintiff is informed, and therefore believes, that Defendants failed to
19 follow relevant CDSS regulations related to ensuring that Trinity was not at risk of further abuse.
20 Plaintiff is further informed, and therefore believes, that Defendants failed to follow provisions
21 of the of the California Child Abuse and Neglect Reporting Act which require, in response to each
22 referral of abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations
23 are substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all
24 substantiated findings to the California Department of Justice.

25 45. On or about March 21, 2016, another Emergency Response Referral Information
26 was filed with HUMBOLDT COUNTY because of a report of physical abuse. Plaintiff is
27 informed, and therefore believes, that Defendants failed to follow relevant CDSS regulations
28 related to ensuring that Trinity was not at risk of further abuse. Plaintiff is further informed, and

1 therefore believes, that Defendants failed to follow provisions of the of the California Child Abuse
2 and Neglect Reporting Act which require, in response to each referral of abuse or neglect, DHHS
3 reach a meaningful conclusion as to whether the allegations are substantiated, inconclusive or
4 unfounded, set forth that conclusion in writing and report all substantiated findings to the
5 California Department of Justice.

6 46. On or about April 29, 2016, HUMBOLDT COUNTY admits that TRINITY
7 WILLIAMS has been raped by Fosnaugh. TRINITY WILLIAMS also reports physical abuse at
8 this time to HUMBOLDT COUNTY. Plaintiff is informed, and therefore believes, that
9 Defendants failed to follow relevant CDSS regulations related to ensuring that Trinity was not at
10 risk of further abuse.

11 47. On or about June 20, 2016, another Emergency Response Referral Information
12 was filed because of a report of physical abuse by Christopher Fosnaugh. Plaintiff is informed,
13 and therefore believes, that Defendants failed to follow relevant CDSS regulations related to
14 ensuring that Trinity was not at risk of further abuse. Plaintiff is further informed, and therefore
15 believes, that Defendants failed to follow provisions of the of the California Child Abuse and
16 Neglect Reporting Act which require, in response to each referral of abuse or neglect, DHHS
17 reach a meaningful conclusion as to whether the allegations are substantiated, inconclusive or
18 unfounded, set forth that conclusion in writing and report all substantiated findings to the
19 California Department of Justice.

20 48. On March 29, 2017, an Emergency Response Referral Information was filed
21 because of a report of exploitation and sexual abuse by Christopher Fosnaugh. Plaintiff is
22 informed, and therefore believes, that Defendants failed to follow relevant CDSS regulations
23 related to ensuring that Trinity was not at risk of further abuse. Plaintiff is further informed, and
24 therefore believes, that Defendants failed to follow provisions of the of the California Child Abuse
25 and Neglect Reporting Act which require, in response to each referral of abuse or neglect, DHHS
26 reach a meaningful conclusion as to whether the allegations are substantiated, inconclusive or
27 unfounded, set forth that conclusion in writing and report all substantiated findings to the
28 California Department of Justice.

**FIRST CAUSE OF ACTION
LIABILITY FOR THE ACT OR OMISSION OF A PUBLIC EMPLOYEE
UNDER Cal Gov Code Section 820(a)**

49. Plaintiffs re-allege and incorporate as if fully stated herein all paragraphs of this complaint as if fully set forth herein.

50. A special relationship between Defendant HUMBOLDT COUNTY, DOES 1-50 and TRINITY WILLIAMS existed.

51. Due to their status as employees of Defendant HUMBOLDT COUNTY, Plaintiff reasonably relied on DOES 1-50 to protect her while under their supervision and take no action that would harm her.

52. By virtue of this special relationship, HUMBOLDT COUNTY and DOES 1-50 owed Plaintiff a duty of care reflective of their supervisory position over her and control of her.

53. 71. This reliance on HUMBOLDT COUNTY and DOES 1-50 worsened Plaintiff's position and exposed Plaintiff to peril.

54. Defendants HUMBOLDT COUNTY and DOES 1-50 breached the aforementioned duty by failing to take reasonable steps following numerous reports that Plaintiff was the repeated victim of sexual molestation, assaults and rape.

55. Defendants HUMBOLDT COUNTY and DOES 1-50 also breached the aforementioned duty by failing to follow mandatory duties related to the reporting and investigation of child abuse.

56. The conduct of HUMBOLDT COUNTY and DOES 1-50, especially with respect to conduct that placed Plaintiff in proximity to her rapist, constitute affirmative actions which contributed to, increased, or changed the risk of harm to Plaintiff.

57. As a proximate result of Defendants actions, Plaintiff suffered injury. But for the actions of Defendants, Plaintiff would not have been further injured.

SECOND CAUSE OF ACTION
VICARIOUS LIABILITY FOR THE ACT OR OMMISION OF A PUBLIC EMPLOYEE
UNDER Cal Gov Code sections 815.2(a), 820(a)

58. Plaintiffs re-allege and incorporate as if fully stated herein all paragraphs of this complaint as if fully set forth herein.

59. A special relationship between Defendant HUMBOLDT COUNTY, the employees of HUMBOLDT COUNTY including DOES 1-50, and Plaintiff existed. Each Defendant and each employee of HUMBOLDT COUNTY owed a duty to ensure the safety of Plaintiff.

60. Due to the fact that HUMBOLDT COUNTY supervised its employees, including DOES 1-50, Plaintiff reasonably relied on HUMBOLDT COUNTY and its employees, including DOES 1-50, to adequately protect her from foreseeable harm. Defendant HUMBOLDT COUNTY and DOES 1-50 also had a duty to properly investigate child abuse referrals.

61. By virtue of this special relationship, Defendant HUMBOLDT COUNTY and its employees, including DOES 1-50, owed Plaintiff a duty of care.

62. Defendant, HUMBOLDT COUNTY vicariously breached the aforementioned duty of care when its employees, DOES 1-50, failed to ensure that Plaintiff was safe and protected from reasonably foreseeable harm.

63. Defendant, HUMBOLDT COUNTY further vicariously breached this duty of care when it, via the negligent, careless, and/or reckless actions of its employees, including DOES 1-50, failed to properly protect Plaintiff. These negligent, careless and/or reckless omissions were a substantial factor and a legal cause of the injuries sustained by Plaintiff as alleged herein.

64. Pursuant to Government Code section 815.2 (a), Defendant HUMBOLDT COUNTY is vicariously liable for the acts of its employees, including DOES 1-50.

65. DOES 1-50 took affirmative actions that placed Plaintiff in danger, Defendant HUMBOLDT COUNTY vicariously took affirmative action which contributed to, increased or changed the risk of harm to Plaintiff. When employees of HUMBOLDT COUNTY negligently, carelessly and/or recklessly failed to properly care for Plaintiff, Defendant HUMBOLDT

COUNTY vicariously took affirmative action which contributed to, increased, or changed the risk of harm to Plaintiff.

66. From 2013 to 2017, numerous complaints were made to HUMBOLDT COUNTY regarding Plaintiff's safety that were not adequately addressed. Plaintiff is informed, and therefore believes, DOES 1-50 acted with deliberate indifference by disregarding those complaints, thereby placing Plaintiff in harm's way.

67. As a direct and proximate cause of Defendant HUMBOLDT COUNTY's vicarious actions, Plaintiff TRINITY WILLIAMS suffered injury. But for the vicarious action of Defendant HUMBOLDT COUNTY, Plaintiff would not have been injured.

**THIRD CAUSE OF ACTION
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS UNDER Cal Gov Code
sections 815.2(a), 820(a)**

68. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as if fully set forth herein.

69. A special relationship between Defendants HUMBOLDT COUNTY and DOES 1-20 existed by virtue of Plaintiff's status as a minor under the protection of Defendants.

70. Due to the fact that Defendant HUMBOLDT COUNTY supervised DOES 1-20, Plaintiff reasonably relied upon Defendant HUMBOLDT COUNTY and DOES 1-20's status as employees of Defendant HUMBOLDT COUNTY.

71. By virtue of this special relationship, Defendant HUMBOLDT COUNTY owed Plaintiff a duty of care.

72. Defendant HUMBOLDT COUNTY breached this duty of care by negligently, carelessly, and/or recklessly failing to properly hire, train, and supervise its employees, to wit, DOES 1-50. These negligent, careless, and/or reckless omissions were a substantial factor and a legal cause of the serious emotional distress sustained by Plaintiff as alleged herein.

73. As a direct and legal result of Defendant HUMBOLDT COUNTY's negligent, Plaintiff has suffered emotional and physical injury and otherwise, all to her special and general damages in amounts to be proven at trial.

**FOURTH CAUSE OF ACTION
VIOLATION OF THE CHILD ABUSE AND NEGLECT REPORTING ACT (CANRA)**

74. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as if fully set forth herein.

75. Pursuant to California Penal Code section 11165.7 and other provisions of the California Child Abuse and Neglect Reporting Act ("CANRA"), Defendants, by and through their employees and agents, are "mandated reporters" with regard to any reasonable suspicion of child abuse, neglect or an unsuitable home. Defendants knew or reasonably suspected that Plaintiff had been subjected to repeated sexual abuse and was living in an environment where such sexual abuse was tolerated. The aforementioned gave rise to a duty to report this knowledge and suspicion, including each separate instance of abuse and neglect (pursuant to Penal Code section 11166). This duty also included cross-reporting to law enforcement and the District Attorney's office. Plaintiff is informed, and therefore believes, Defendants failed to make all such reports.

76. Moreover, Defendants failed to properly train their employees regarding the duties of mandated reporters.

77. Had Defendants properly investigated the abuse and neglect of Plaintiff and the fact that she was living in an unsuitable environment, this likely would have led to law enforcement conducting a further investigation, arresting Fosnaugh and preventing further sexual contact with Trinity. It also would have encouraged Fosnaugh to leave Trinity alone out of fear of being arrested. This would have prevented Trinity from being subjected to years of further sexual abuse.

78. CANRA, requires that, in response to each referral of abuse or neglect, DHHS reach a meaningful conclusion as to whether the allegations are substantiated, inconclusive or unfounded, set forth that conclusion in writing and report all substantiated findings to the California Department of Justice.

79. Defendants' improper investigation of each report of abuse made it far less likely that social workers, mental health professionals and others who subsequently interacted with Trinity would take the sexual abuse allegations against Fosnaugh seriously and take appropriate

1 action. It also gave Fosnaugh the false belief that Fosnaugh had been exonerated of the
2 allegations.

3 80. Pursuant to Government Code sections 815.2(a) and 820 and Evidence Code
4 section 669, the individual social worker defendants are liable for violating CANRA and the
5 County of Humboldt is vicariously liable for these violations.

6 81. As a result of Defendants' violation of CANRA, plaintiff sustained injuries and
7 damages as alleged herein.

8 **FIFTH CAUSE OF ACTION**
9 **BREACH OF MANDATORY DUTIES UNDER Cal Gov Code section 815.6**

10 82. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as
11 if set forth fully herein.

12 83. In addition to CANRA, Defendants violated various other mandatory duties
13 intended to protect children from abuse and neglect and are therefore liable for plaintiff's injuries
14 pursuant to Government Code section 815.6. These mandatory duties included, but were not
15 limited to, the following:

16 (a) Welfare & Institutions Code Section 16501.1, which required a case plan
17 to ensure that Trinity received protection and proper care and that appropriate services were
18 provided to Trinity;

19 (b) California Department of Social Services ("CDSS") regulation 31-125.1,
20 which required DHHS to determine whether Trinity was at risk of abuse or neglect and in need
21 of child welfare services or removal from the home;

22 (c) DHHS regulation 31-205, which required DHHS to gather, evaluate and
23 document assessment information pertaining to other significant persons who were known to
24 reside in the same home as plaintiff, including, but not limited to, Christopher Fosnaugh;

25 (d) CDSS regulation 31-205, which required DHHS to gather, evaluate and
26 document information as to whether Trinity could safely remain in her home;

1 (e) CDSS regulation 31-310, which required DHHS to monitor Trinity's
2 physical and emotional condition and to take necessary action to ensure that her protective needs
3 continued to be met;

4 (f) CDSS regulation 31-320, which required DHHS to adequately conduct
5 face-to-face contacts with Trinity and to assess her safety and well-being;

6 (g) CDSS regulation 31-335, which required DHHS to have contact with
7 other professionals working with Trinity in order to monitor the safety of the child and obtain
8 their perception of the child's well-being and in order to determine whether the parent is
9 following through with her commitments;

10 (h) CDSS regulation 31-501, which required DHHS to report every known or
11 suspected instance of child abuse and/or neglect to law enforcement.

12 84. Defendants breached each of the aforementioned mandatory duties by, among
13 other acts and omissions, allowing plaintiff to have contact with an adult known to have engaged
14 in repeated sexual contact with a minor, to wit, Christopher Fosnaugh, failing to report the
15 ongoing abuse and neglect, failing to conduct a meaningful investigation concerning the abuse
16 and neglect and failing to provide necessary child welfare services. These breaches of duty
17 contributed to the ongoing sexual abuse of Trinity and her eventual second pregnancy.

18 85. As a result of Defendants' violation of mandatory duties, plaintiff sustained
19 injuries and damages as alleged herein.

20 **SIXTH CAUSE OF ACTION**
21 **BREACH OF DUTY ARISING UNDER SPECIAL RELATIONSHIP**

22 86. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as
23 if fully set forth herein.

24 87. A special relationship was established between Defendants and Trinity by virtue
25 of Defendants having entered upon the task of protecting Trinity. This induced reliance and
26 dependence on the part of Trinity, who reasonably believed that Defendants would protect her.

27 88. Defendants increased the danger to Trinity by ratifying, sanctioning and
28 encouraging Fosnaugh's continued contact with Trinity, and by extension and his ongoing abuse

1 of Trinity, all of which led to his continued proximity to Trinity and increased ability to sexually
2 abuse Trinity.

3 89. As a result of the special relationship between Defendants and Trinity, Defendants
4 owed a duty to exercise reasonable care. Defendants breached that duty, as discussed above, by
5 failing to take meaningful steps to protect Trinity from abuse.

6 90. As a result of Defendants' breaches of the duties arising under the special
7 relationship, plaintiff sustained injuries and damages as alleged herein.

8 **SEVENTH CAUSE OF ACTION**
9 **VIOLATION OF CIVIL RIGHTS**
10 **42 U.S.C. § 1983**

11 91. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as
12 if fully set forth herein.

13 92. Defendant HUMBOLDT COUNTY and DOES 1-50 violated Plaintiff's rights
14 under the Fourteenth Amendment of the United States Constitution by placing her in known or
15 reasonably foreseeable danger with deliberate indifference to Plaintiff's personal and physical
16 safety.

17 93. Defendant HUMBOLDT COUNTY and DOES 1-50 violated Plaintiffs' rights
18 under the Fourteenth Amendment of the United States Constitution by taking affirmative steps
19 that placed Plaintiff in physical proximity to her rapist and abuser, to wit Christopher Fosnaugh.

20 94. Defendant HUMBOLDT COUNTY and DOES 1-50 further violated Plaintiff's
21 right to substantive due process by providing Plaintiffs with misleading and incorrect information
22 concerning the propriety of continued contact with her rapist. Specifically, Plaintiffs'
23 vulnerability and exposure to danger was enhanced by Defendant HUMBOLDT COUNTY and
24 DOES 1-50 misrepresenting the propriety of efforts towards "family reunification" and
25 impermissibly facilitating continued contact between Plaintiff and Fosnaugh.

26 95. The conduct of Defendant HUMBOLDT COUNTY and DOES 1-50 affirmatively
27 placed Plaintiff in a position of danger by creating and exposing Plaintiff to a danger which she
28 would not have otherwise faced but for their actions, namely, continued rapes, physical assaults

1 and psychological abuse. Said rapes, physical assaults and psychological abuse lasted a period a
2 years.

3 96. Defendant HUMBOLDT COUNTY and DOES 1-50 acted with deliberate
4 inference when they disregarded the known or obvious consequences of their conduct.

5 97. By and through doing the aforementioned, a special relationship between
6 Defendant HUMBOLDT COUNTY and DOES 1-50 and Plaintiff was created as by and through
7 Defendant HUMBOLDT COUNTY and DOES 1-50 conduct, Defendant HUMBOLDT
8 COUNTY and DOES 1-20 took affirmative action which contributed to, increased or changed
9 the risk of harm to Plaintiff.

10 98. By and through doing the aforementioned, Defendant HUMBOLDT COUNTY
11 and DOES 1-50 breached the duty of care owed Plaintiff that was reflective of the special
12 relationship created.

13 99. As a proximate result of the conduct of Defendant HUMBOLDT COUNTY and
14 DOES 1-50, Plaintiff was seriously injured.

15 100. Defendants' conduct as alleged herein was despicable conduct and was carried on
16 by Defendants with a willful and conscious disregard of the rights and safety of Plaintiff.
17 Defendants' conduct subjected Plaintiff to cruel and unjust hardship in conscious disregard of
18 Plaintiff's rights.

19 **EIGHTH CAUSE OF ACTION**
20 **VIOLATION OF CIVIL RIGHTS**
21 **42 U.S.C. § 1983**

22 101. Plaintiffs reallege and incorporate as if fully stated herein, each and every
23 allegation contained in paragraphs 1 through 54 of the Complaint.

24 102. The conduct of Defendant HUMBOLDT COUNTY and DOES 1-50, i.e.,
25 encouraging, compelling and coercing Plaintiff into having continued contact with Fosnaugh,
26 facilitated his commission of further sexual assaults and deprived Plaintiff of her rights under the
27 Fourteenth Amendment to the United States Constitution.

103. This aforementioned conduct of DOES 1-50 was the result of deficient training, instruction, longstanding departmental practice, policy and custom which constitutes the standard operating procedure of HUMBOLDT COUNTY. Among other things, Defendant HUMBOLDT COUNTY failed to adequately train DOES 1-50 with respect to when, if ever, its employees and/or agents may encourage, facilitate or endorse, contact between a minor and an adult known to have engaged in sexual contact with that minor.

104. Plaintiff is informed, and therefore believes, Defendant HUMBOLDT COUNTY has a long-standing practice or custom of approving and ratifying such decisions made by its employees and agents to promote "family reunification" at the expense of the well-being and safety of minors like Plaintiff who have been sexually abused.

105. Defendant HUMBOLDT COUNTY, its agents or employees, were aware of the aforementioned deficiencies in training, instruction, longstanding departmental practice, policy and custom but nonetheless failed to correct the deficiencies despite having the authority to do so. This failure to train DOES 1-50 or create adequate, policies, procedures, customs and standard operating procedures amounts to deliberate indifference to Plaintiffs' constitutional rights and were the moving force behind their injuries.

106. As a result of the conduct of DOES 1-50, which constituted violations of Plaintiffs' rights under the Fourteenth Amendment of the United States Constitution, and was done pursuant to training, instruction, longstanding departmental practice, policy and custom of Defendant HUMBOLDT COUNTY, Plaintiff suffered serious injury.

PUNITIVE DAMAGES ALLEGATIONS AGAINST DOES 1-50

107. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as if fully set forth herein.

108. DOES 1-50, all of whom were employed by Defendant HUMBOLDT COUNTY during the events in question and were acting within the course and scope of their employment, are liable for punitive damages by virtue of having committed the acts and omissions discussed

1 above with oppression. Their acts and omissions were despicable and subjected Trinity to cruel
2 and unjust hardship in knowing disregard of her rights.

3 109. The job of DOES 1-50 was to protect children whose parents or guardians were
4 not capable of protecting them. Doe Defendants learned that Trinity had been raped by Fosnaugh,
5 that Trinity was residing in homes where the sexual abuse was continuing unabated. However,
6 DOES 1-50 failed to provide any protection to Trinity from this known danger. In fact, they made
7 the situation worse by enabling Fosnaugh to have access to Trinity. DOES 1-50 went so far as to
8 treat Fosnaugh as a “caretaker” of Trinity and give him a role in supposedly protecting Trinity.
9 When the social workers failed to carry out their duties to report and act upon the sexual abuse
10 and closed their investigations, or disregarded actual, verifiable evidence of sexual abuse, they
11 knew that they were subjecting Trinity to ongoing sexual abuse, but they turned a blind eye to the
12 incalculable harm that this would cause this young girl.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF prays for judgment against Defendant HUMBOLDT COUNTY, and DOES 1 through 50 as follows:

1. For compensatory damages according to proof;
2. For punitive damages as allowed by law;
3. For legal interest on the judgment where allowable by law;
4. For attorney's fees as allowed by law;
5. For costs of suit incurred herein where allowable by law; and,
6. For such other and further relief as the Court deems just and proper.

Dated: January 31, 2019

BRAGG, MAINZER & FIRPO, LLP

By: 

BENJAMIN MAINZER
Attorney for Trinity Williams

CONNELLY LAW OFFICES

for
By: 

AMANDA M. SEARLE
Attorney for Trinity Williams

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EXHIBIT C

David V. FILED

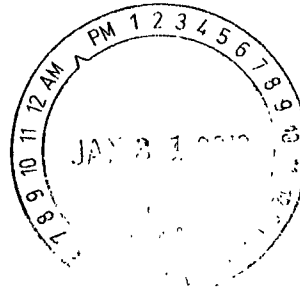
JAN 31 2019

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

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Attorneys for Plaintiff
TRINITY WILLIAMS



SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF HUMBOLDT

TRINITY WILLIAMS, individually,

Plaintiff,

vs.

COUNTY OF HUMBOLDT and
DOES 1-50, inclusive,

Defendants.

CASE NO. **DR190116**

**NOTICE OF INCLUSION IN DELAY
REDUCTION PROGRAM**

**NOTICE OF CASE MANAGEMENT
CONFERENCE**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the above-entitled action has been included in the Delay Reduction Program of the County of Humboldt. You are required to comply with the guidelines for program cases as set forth in California Rules of Court, Title 3, Division 7, Chapters 1, 2 and 3 and Humboldt County Local Rules 2.7 through 2.7.6

You are further advised that a CASE MANAGEMENT CONFERENCE in the above action has been scheduled for 5-31, 2019 at 8:30 a.m. in Department # 4 of the Humboldt County Superior Court. Initial CASE MANAGEMENT STATEMENT on Judicial Council form

///

1 CM-110 shall be filed with the court and exchanged among the parties no later than 15 days before the
2 Case Management Conference.

3 KIM M. BARTLESON, Clerk

4 DATED: JAN 31 2019

5 By: David V. Deputy
~~KIM M. BARTLESON~~